IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 7329 OF 2005 .

Sadanand Y. Narvekar & anr. ... Petitioners.
V/s.
Robert Philips & ors. ... Respondents.

Shri C.J. Sawant, Senior Counsel with Vishal Ghosalkar for the petitioners.

Shri Ashok K. Goel for the respondent Nos. 4 & 5.

CORAM : V.C.DAGA, J.

DATED : 22.12.2005.

P.C. :

. Shri C.J.Sawant, learned Senior Counsel appearing for the petitioners submits that the respondent Nos. 4 and 5 be directed not to part with possesion of the suit premises in favour of third party during the pendency of the suit.

2. Learned Counsel for respondent Nos. 4 and 5 states that they have already made a statement in para 12 of their reply; which reads as under:

. "We say that we do not intend to part with possession as the defendant No.4 is in possession of the suit premises."

He, on behalf of respondent Nos.4 and 5 again reiterated the aforesaid statement before this Court. Statement made is taken on record.

3. In view of the above statement and reieration thereof, the learned Counsel for the petitioners seeks permission to withdraw this petition.

4. The petition is, thus, dismissed as withdrawn with no order as to costs.